

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY *JG* D.C.  
05 SEP 26 PM 4:04

SMITH & NEPHEW, INC.,

Plaintiff,

v.

No. 04-2446-B/P

STRYKER CORPORATION and  
HOWMEDICA-OSTEONICS  
CORPORATION,

Defendants.

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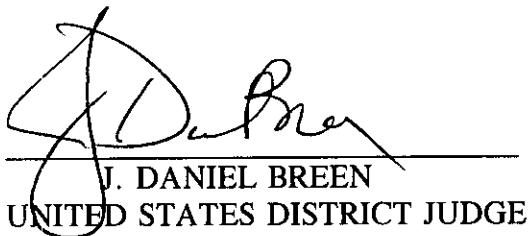
**ORDER ADMINISTRATIVELY CLOSING CASE**

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This court, having been advised by local counsel for Stryker Corporation that settlement has been reached on all matters in this case, directs that this action be DISMISSED. Furthermore, any pending motions are DENIED as moot and all proceedings currently set before the court are removed from the court's calendar.

The dismissal granted herein shall be without prejudice for a period of 30 days from the entry of this order. If settlement is not consummated within that 30 day period, the parties may reopen this action upon motion approved by the court. Should the parties fail to move to reopen the case within the prescribed period, the matter shall, without further order, stand dismissed with prejudice.

IT IS SO ORDERED this 26<sup>8</sup> day of September, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 9-27-05

(48)



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This notice confirms a copy of the document docketed as number 48 in case 2:04-CV-02446 was distributed by fax, mail, or direct printing on September 27, 2005 to the parties listed.

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Douglas F. Halijan  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Mark Vorder-Bruegge  
WYATT TARRANT & COMBS  
P.O. Box 775000  
Memphis, TN 38177--500

Timothy J. Malloy  
MCANDREWS HELD & MALLOY, LTD.  
500 West Madison St.  
34th Floor  
Chicago, IL 60661

Sharon A. Hwang  
MCANDREWS HELD & MALLOY, LTD.  
500 West Madison St.  
34th Floor  
Chicago, IL 60661

Glen G. Reid  
WYATT TARRANT & COMBS  
P.O. Box 775000  
Memphis, TN 38177--500

Gregory J. Vogler  
MCANDREWS HELD & MALLOY, LTD.  
500 West Madison St.  
34th Floor  
Chicago, IL 60661

Charles F. Newman  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103--221

Honorable J. Breen  
US DISTRICT COURT